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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/665,368	09/19/2000	Lon S. Safko	1173.001	5060

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EXAMINER

CHANG, JUNGWON

ART UNIT

PAPER NUMBER

2154

DATE MAILED: 04/02/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/665,368

Applicant(s)

SAFKO, LON S.

Examiner

Jungwon Chang

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 January 2004.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-19 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

FINAL ACTION

1. Claims 1-19 are presented for examination.
2. The text of those sections of Title 35, U. S. Code not included in this office action can be found in a prior office action.
3. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hess et al. (US 6,415,320 B1), hereinafter referred to as Hess, further in view of Matos (US 6,523,826 B1).
4. As to claim 9, Hess discloses the invention substantially as claimed, including a system for providing models (col. 5, lines 1-20; col. 10, lines 1-32), comprising:
 - at least one user computer (205, fig. 2; 470, fig. 4); and
 - at least one model server (210, fig. 2; fig. 3; 400, fig. 4), the user computer communicating with the model server via a wide area computer network (col. 4, lines 7-22), the model server including a model including means for providing files representing models to the user computer via the wide area computer network (col. 7, line 61 – col. 8, line 30).
5. Hess does not specifically disclose paper models. However, Matos discloses paper models (col. 1, lines 9-14 and 22-28). It would have been obvious to one of

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ordinary skill in the art at the time the invention was made to combine the teaching of Hess and Dow because Matos's paper model would improve images of Hess's system by folding the pieces of paper to construct a three dimensional image structure.

6. As to claim 10, Hess discloses means for permitting the user to access a model page (col. 3, lines 24-29; col. 6, line 52 – col. 7, line 1); and means for permitting the user to print at least one data file using the model page, the data file being useful for causing a computer printer to print a substrate having model indicia thereon, wherein the model indicia is useful for configuring the substrate into a model (col. 3, lines 24-29; col. 8, lines 29-54).

7. As to claim 11, Hess does not specifically disclose printing assembly instructions for the paper model. However, Matos discloses assembly instructions for the paper model (col. 17, line 55 – col. 18, line 18). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Hess and Matos because Matos' assembly instructions would allow the customer to easily assemble the desired paper model.

8. As to claims 12-14, Hess discloses generating accounting data when the user accesses the model page (col. 7, lines 14-27).

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9. As to claim 15, Hess discloses providing at least one hyperlink to the model page, whereby the user accesses the model page by clicking on the hyperlink (col. 4, lines 15-22).

10. As to claim 16, Hess discloses presenting an image of at least a portion of an object on the model page (col. 3, lines 24-29; col. 8, lines 17-54).

11. As to claim 17, Hess discloses user downloads the data file at least in part by clicking on the image on the model page (col. 7, lines 40-65).

12. As to claim 18, it is rejected for the same reasons set forth in claim 9 above. In addition, Hess discloses Internet advertising (i.e., online commerce; col. 1, lines 11-16; col. 3, lines 8-32).

13. As to claim 1, it is rejected for the same reasons set forth in claim 9 above. In addition, Hess discloses means for permitting the user to access a model page (col. 3, lines 24-29; col. 6, line 52 – col. 7, line 1); and means for permitting the user to print at least one data file using the model page, the data file being useful for causing a computer printer to print a substrate having model indicia thereon, wherein the model indicia is useful for configuring the substrate into a model (col. 3, lines 24-29; col. 8, lines 29-54).

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14. As to claim 2, it is rejected for the same reasons set forth in claim 11 above.

15. As to claims 3-5 and 19, they are rejected for the same reasons set forth in claims 12-14 above.

16. As to claim 6, it is rejected for the same reasons set forth in claim 15 above.

17. As to claim 7, it is rejected for the same reasons set forth in claim 16 above.

18. As to claim 8, it is rejected for the same reasons set forth in claim 17 above.

19. Applicant's arguments filed 1/27/2004 have been fully considered but they are not persuasive.

20. In the remarks, applicant argued in substance that

(1) Hess does not teach the thumbnail images represent models.

21. Examiner respectfully traverses applicant's remark.

As to point (1), claims 1-19 are not directed to particularly point out the characteristics of model. Based on the specification of the present application, models are constructed from images including houses, buildings, automobile, airplanes, trains, or photography described on page 5, lines 3-10. Hess discloses images corresponding items, such as

digitalized picture of items (col. 1, lines 58-63; col. 9, lines 60-67), and the images of items can be displayed on user computer in format of JPEG, BMP, IFF, GIF, G3 2D, or TIFF (col. 8, lines 31-54). Accordingly, Hess is a relevant prior art.

Therefore, the teaching of Hess providing models (i.e., images) over Internet, and the teaching of Matos as a whole which comprises paper models. Once the particular teaching of paper models has been combined with Hess's models (i.e., images), the particular nature of models encompasses the concept of paper models.

22. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jungwon Chang whose telephone number is (703)305-9669. The examiner can normally be reached on 9:30-6:00 (Monday-Friday).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is (703)746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-9669.

Jungwon Chang
March 29, 2004



JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100